

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 1, 3-7, 9-11, and 13-14 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

Rejection of claims 10-12 based on 35 U.S.C. 112

Claims 10-12 are rejected under 35 U.S.C. 112, second paragraph, for various informalities. Claim 10 has been amended to remove the parenthesis. Claim 11 has been amended to change “the cooler” to “a cooler.” Claim 12 has been canceled. In view of these amendments, favorable reconsideration of the rejection is respectfully requested.

Prior art rejections

Claims 1, 5-9, and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,993,367 (“Kehrer”). Claims 1-2 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication 2003/0015184 (“Klipfel”). Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klipfel in view of U.S. Patent 5,761,902 (“Usami”). Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,702,190 (“Nohl”). These rejections are traversed for at least the following reasons.

Claim 1 (as amended) recites, among other things, an arrangement for cooling exhaust gas comprising a housing containing a heat-transfer region and an actuating element for controlling a flow of exhaust gas through the heat-transfer region and/or a bypass duct. The housing is integrally formed in a longitudinal direction of the arrangement for cooling exhaust gas, with the actuating element being arranged in the housing. The actuating element is in a form of a flap having a shaft, wherein the shaft protrudes through a shaft bushing with a seal on one side of the housing and is mounted in a bearing on another side of the housing. The bearing is formed by a small deformation in the housing. Kehrer, Klipfel, Usami, Nohl, or any combination thereof fails to teach or suggest this combination of features.

For instance, none of Kehrer, Klipfel, Usami, and Nohl teaches or suggests a shaft protruding through a shaft bushing with a seal on one side of the housing and being mounted

in a bearing on another side of the housing and the bearing being formed by a small deformation in the housing. Indeed, none of Kehrer, Klipfel, Usami, and Nohl teaches or suggests the combination of a shaft bushing, a seal, and bearing, along with the other features of claim 1. Because Kehrer, Klipfel, Usami, and Nohl does not teach or suggest the combination of a shaft bushing, a seal, and bearing, along with the other features of claim 1, the prior art does not teach or suggest all the features of claim 1, and claim 1 is allowable over the prior art.

Claims 2, 8, and 12 have been canceled, which renders the rejection of these claims moot.

Claims 3-7 and 9-11 depend from and contain all the features of claim 1, and are allowable for the same reasons as claim 1, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Allowability of claims 13-14

Claims 13-14 depend from and contain all the features of claim 1, and are allowable for the same reasons as claim 1, without regard to the further patentable features contained therein. For at least this reason, allowance of claims 13-14 is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If

any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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